

SENATE BILL REPORT

SSB 6162

As Passed Senate, April 26, 2009

Title: An act relating to criminal justice: Providing for the supervision of offenders sentenced to community custody regardless of risk classification if the offender has a current conviction for a serious violent offense as defined in RCW 9.94A.030

Brief Description: Providing for the supervision of offenders sentenced to community custody regardless of risk classification if the offender has a current conviction for a serious violent offense.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senator Prentice).

Brief History:

Committee Activity: Ways & Means: 4/24/09 [DPS, DNP, w/oRec].
Passed Senate: 4/26/09, 42-1.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6162 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Fairley, Hobbs, Keiser, Kline, Kohl-Welles, McDermott, Murray, Oemig, Pridemore, Regala and Rockefeller.

Minority Report: Do not pass.
Signed by Senator Schoesler.

Minority Report: That it be referred without recommendation.

Signed by Senators Zarelli, Ranking Minority Member; Brandland, Honeyford, Parlette and Pflug.

Staff: Shani Bauer (786-7468)

Background: Engrossed Substitute Senate Bill 5288 eliminates supervision for most offenders who are classified at a low or moderate risk to reoffend. Certain offenders are supervised regardless of their risk to reoffend including sex offenders, dangerously mentally ill offenders, offenders who have an indeterminate sentence and are subject to parole,

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offenders who received an alternative sentence, or offenders who are required to be supervised under the Interstate Compact.

A serious violent offense is defined as:

- Murder in the first degree;
- Homicide by abuse;
- Murder in the second degree;
- Manslaughter in the first degree;
- Assault in the first degree;
- Kidnapping in the first degree;
- Rape in the first degree;
- Assault of a child in the first degree; or
- An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or
- Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense.

Summary of Substitute Bill: Offenders who have a current conviction for a serious violent offense must be supervised by the Department of Corrections regardless of the offender's risk to reoffend.

Appropriation: None.

Fiscal Note: Requested on April 23, 2009.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause. Section 1 takes effect immediately. Section 2 takes effect August 1, 2009.

Staff Summary of Public Testimony: PRO: This class of offenders was omitted from ESSB 5288 as an oversight and we appreciate them being added back in. This is a good class of offenders to be supervised for a relatively small amount of money.

Persons Testifying: PRO: Don Pierce, Washington Association of Sheriffs and Police Chiefs.